Capt. Y. V. Ayya.—

Is it not necessary to place the concerned officials under suspension immediately, and when final orders are passed, to mete out deterrent punishments to them?

First Member of Council.—

Suitable notice will be taken of the conduct of the officers concerned.

Capt. Y. V. Ayya.—

What is the extent of loss on account of the irregularities brought to notice?

First Member of Council.—

I do not remember the exact amount. It is assumed to be a few hundreds of rupees.

Capt. Y. V. Ayya.—

Will the Government be pleased to get the accounts audited again?

First Member of Council.—

I do not think it is necessary.

Capt. Y. V. Ayya.—

When will final orders be passed in the matter?

First Member of Council.—

Early orders may be expected.

MR. N. CHANNAPPA (Gubbi Taluk).—

Q.—26. Will the Government be pleased to state:—

(*a*) Is it a fact that, after Mr. G. B. Heblikar was transferred to Hassan District as Deputy Commissioner, he ran over a woman while driving his car?

(*b*) Was any *mahazar* drawn up at the spot?

(*c*) If so, who are the *mahazardars*?

(*d*) Will the Government be pleased to place on the table of the House a copy of the said *mahazar*?

(*e*) Was any post-mortem examination conducted?

(*f*) What action was taken after the said examination?

(*g*) Who investigated the case?

(*h*) Was any first information report sent in the matter?

(*i*) Does Mr. Heblikar still hold his driving license?

CHIEF SECRETARY TO GOVERNMENT.—

A.—26. (*a*) The answer is in the affirmative.

(*b*) Yes.

(*c*) Messrs. Patel Rangegowda; Kariyanna; Boregowda, son of Mari Gowda; Venkatramappa, Shanbhogue of Kabballi; Bore Gowda; Patel Dudda; Kempe Gowda; Patel D. Krishna Murthi; Bomme Gowda, son of Mari Gowda; Subbaraya, Shanbhogue; Dudda; D. Ramaswamiah.

(*d*) The reference is apparently to the verdict at the inquest; a copy is placed on the table. (*Vide* Appendix C.)

(*e*) No, as the cause of death was known.

(*f*) The question does not arise.

(*g*) The District Superintendent of Police.

(*h*) Yes.

(*i*) Yes.

Supplementary Questions and Answers.

Mr. N. Channappa.—

Where exactly did the accident take place?

Chief Secretary to Government.—

Near the Dudda [illegible]il-gate.

Mr. N. Channappa.—

How far is it from Hassan?

Chief Secretary to Government.—

I do not know.

Mr. N. Channappa.—

Where was the *mahazar* drawn up?

Chief Secretary to Government.—

On the spot.

Mr. N. Channappa.—

Who have signed the *mahazar*?

Chief Secretary to Government.—

The names are already given in the reply.

Mr. N. Channappa.—

Before the *mahazar* was written up, did the panchayetdars themselves witness the accident or did they depend upon any detailed explanation and demonstration by Mr. Heblikar himself for the impressions that they gathered and recorded?

Chief Secretary to Government.—

They were not present at the spot when the accident took place.

Mr. N. Channappa.—

So, who really was the person that gave the panchayetdars the opinions and views expressed in the report appended to the answer to this question?

Chief Secretary to Government.—

The appendix relates to the inquest report and not to the *mahazar*.

Mr. N. Channappa.—

Who signed the inquest report?

Chief Secretary to Government.—

Messrs. Bharmappa, Vice-President; Subbaraya Setty, Sowcar; Bheemayya, Contractor, Hassan; Mahomed Khalandar and Venkataramanayya.

Mr. N. Channappa.—

Did the panchayetdars see the dead body when they drew up their report?

Chief Secretary to Government.—

Yes.

Mr. N. Channappa.—

Were they present when the accident occurred?

Chief Secretary to Government.—

No.

Mr. N. Channappa.—

How were the materials for the report obtained?

Chief Secretary to Government.—

They were obtained by enquiries made and by reference o the *mahazar*.

Mr. N. Channappa.—

Who were all the persons examined?

Chief Secretary to Government.—

Bora, Puttamma, Heblikar, Rajaram (Driver), G. Sundara Rao and Khaleel.

Mr. N. Channappa.—

To which village do the first two belong?

Chief Secretary to Government.—

They belong to the village of Koramangala.

Mr. N. Channappa.—

Was Mr. Sundara Rao present when the accident took place?

Chief Secretary to Government.—

No.

Mr. N. Channappa.—

When the inquest report was drawn up, did the Deputy Commissioner volunteer to show how the accident occurred or was the inquest report drawn up without any such information from the Deputy Commissioner?

Chief Secretary to Government.—

All the available information is given in the reply.

Mr. N. Channappa.—

Was any independent evidence recorded?

Chief Secretary to Government.—

We have no information beyond what is given in the report.

Mr. N. Channappa.—

Does the verdict of the panchayetdars not show that their opinion has been entirely based on the explanations of Mr. Heblikar before them?

Chief Secretary to Government.—

Certainly not.

Mr. N. Channappa.—

What else is it? They say that they got the motor car driven actually and also got the whole accident practically explained.

Chief Secretary to Government.—

The usual procedure for inquest was followed in this case, but the panchayetdars perhaps wanted a demonstration before them to elucidate the facts.

Mr. N. Channappa.—

Was there any necessity for such a demonstration?

Chief Secretary to Government.—

That is a question which the panchayetdars themselves should answer.

Mr. N. Channappa.—

Where was the inquest drawn up and when?

Chief Secretary to Government.—

At the hospital at Hassan. I do not know at what time it was drawn up.

Mr. N. Channappa.—

Are the Government aware that Boregowda, Patel of Dudda village, who was one of the panchayetdars, had been placed under suspension before this accident and that the order of suspension was cancelled subsequently?

Chief Secretary to Government.—

No.

Mr. N. Channappa.—

Was a dying declaration recorded from the old woman? If not, why not?

Chief Secretary to Government.—

The Magistrate went to the hospital for the purpose, but as the woman was unconscious he could not take her dying declaration.

Mr. N. Channappa.—

Are the Government aware that the woman was very poor and was also guardian to an idiot and to another minor?

Chief Secretary to Government.—

No.

Mr. N. Channappa.—

What compensation, if any, was paid to the dependants of that woman by Mr. Heblikar and why was it paid?

Chief Secretary to Government.—

A sum of about Rs. 100 or Rs. 150 was paid to them out of pity and compassion on the part of Mr. Heblikar.

Mr. N. Channappa.—

Is it not likely that the money was paid more to hush up the case?

Chief Secretary to Government.—

You must not make such imputations.

Mr. N. Channappa.—

Is this the first accident that Mr. Heblikar has given occasion to or has he been responsible for accidents on any previous occasions also?

Chief Secretary to Government.—

Government have no information on that point.

Mr. N. Channappa.—

Will they at least enquire into it in order to know whether Mr. Heblikar knows driving well?

Chief Secretary to Government.—

Government do not see the need for it.

Mr. N. Channappa.—

Who has tested his capacity to drive?

Chief Secretary to Governmen.t—

Government have not tested him.

Mr. N. Channappa.—

What is the statement made by Mr. Sundara Rao in connection with the inquest ?

Chief Secretary to Government.—

His only statement is that he went to the hospital to take a dying declaration but that he could not take one as the woman was in an unconscious state.

Mr. N. Channappa.—

How long after the accident did he go to the hospital ? Was there any delay and if so, why ? Was he not in town ?

Chief Secretary to Government.—

He was in town. He went to the hospital as soon as he was sent for.

Mr. N. G. Sanjeeviah.—

Mr. Heblikar, who is himself the authority to grant drivers' licenses, should know enough of driving. Does he know it ? Does he know how much in advance the brake should be applied when he is driving at a particular rate ?

Chief Secretary to Government.—

I am not an expert to answer the question.

Mr. N. G. Sanjeeviah.—

Will the Government accept my statement if I say that he was running at 50 or 60 miles' speed when the accident took place ? If he had been driving at a lower speed, could he not have avoided the accident ?

Chief Secretary to Government.—

I can only say that Government have based the information furnished to the House on the result of investigation held by the panchayet and accepted by a District Magistrate.

Mr. N. G. Sanjeeviah.—

He is himself the District Magistrate.

Mr. N. Chan[illegible]y to Government.—

Was a [illegible] did not deal with the case. Another District [illegible]ed orders on the inquest report.

Mr. N. G. Sanjeeviah.—

Is it not a fact that a certain shanbhogue and another patel collected all the panchayetdars?

Chief Secretary to Government.—

Government have no information.

Mr. N. G. Sanjeeviah.—

It is an accident due entirely to Mr. Heblikar's negligence and rashness; he would have been able to apply the brake and avoid the accident if he had been driving slowly and carefully. Will the Government be pleased to appoint a committee to ascertain if it was not so?

Chief Secretary to Government.—

No. When an enquiry has been held in conformity with rules, Government do not consider that another fresh enquiry is required.

Mr. N. G. Sanjeeviah.—

Will the mode of disposal of the case under reference not make people think that by paying a few rupees all the risks of negligent driving can be overcome?

Chief Secretary to Government.—

That statement is not warranted by the facts of the case.

Capt. Y. V. Ayya.—

The panchayetdars refer to Bora, Puttamma and others in the singular number, while they call Mr. Heblikar "Heblikar Saheb." Will the Government be pleased to say whether Mr. Heblikar is a Hindu or a Mahomedan? Why should such invidious differences be made between one individual and another?

Chief Secretary to Government.—

I have only read out to the House the names as they are written in the inquest report. Besides, this particular question does not arise out of the main question.

Capt. Y. V. Ayya.—

The answer to Sub-Section (*e*) is that no post-mortem examination was conducted as the cause of death was known. Is not post-mortem examination necessary in the case of every death by accident?